

**ORDINANCE NO. 2230-10**  
by the Plan Commission

**AN ORDINANCE GRANTING A CONDITIONAL USE ALLOWING INTENSIFICATION OF A  
CHILD DAY CARE CENTER AT  
AMY MONTESSORI SCHOOL, 16945 W. NORTH AVENUE.**

WHEREAS, it is a lawful purpose of the Common Council of the City of Brookfield to promote the health, safety, morals and general welfare of the City by enacting zoning ordinances; and

WHEREAS, pursuant to Section 17.108.050 of the Brookfield Municipal Code, schools and privately owned recreation buildings are conditional uses that may be permitted in any use district upon specific authorization by the Council pursuant to a public hearing process; and

WHEREAS, the site is zoned "R-2" Single-family Residence District. The subject building is located in the northwest corner of the Brookfield Central Campus. Amy Montessori leases this building space from the Elmbrook School District; and

NOW, THEREFORE, the Common Council of the City of Brookfield do ordain as follows:

PART I. Approval to grant a conditional use to allow intensification of a child day care center at Amy Montessori School, 16945 W. North Avenue. This proposal includes an amendment of Ord. #1514 to increase enrollment from 31 to 95 and to allow a 9,500 square foot fenced outdoor play area.

PART II. Said approval is subject to all conditions listed in the September 13, 2010, Plan Commission minutes.

PART III. The land upon which the conditional use is proposed is described as follows: A PART OF THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 20 EAST, IN THE CITY OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID 1/4 SECTION; THENCE NORTH 89°29'27" WEST ALONG THE SOUTH LINE OF SAID 1/4 SECTION, 2110.19 FEET; THENCE NORTH 00°15'08" EAST, 45.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°15'08" EAST, 373.83 FEET; THENCE SOUTH 89°29'27" EAST, 103.77 FEET; THENCE NORTH 00°11'35" EAST, 2184.89 FEET TO A POINT ON THE SOUTH LINE OF WEST NORTH AVENUE; THENCE SOUTH 89°24'03" EAST, 960.14 FEET TO A POINT ON THE WEST LINE OF EL RANCHO HEIGHTS SUBDIVISION AND ITS EXTENSION THEREOF; THENCE SOUTH 00°01'11" WEST ALONG SAID EXTENSION, 1270.53 FEET; THENCE SOUTH 89°26'48" EAST, 43.26 FEET TO THE WEST LINE OF GREENVIEW ACRES; THENCE SOUTH 00°04'39" WEST ALONG SAID WEST LINE, 572.77 FEET; THENCE SOUTH 89°55'21" EAST, 136.66 FEET TO A POINT ON THE WEST LINE OF NORTH 166TH STREET; THENCE SOUTH 00°04'39" WEST ALONG SAID WEST LINE, 131.00 FEET; THENCE NORTH 89°55'21" WEST, 136.66 FEET; THENCE SOUTH 00°04'39" WEST, 594.93 FEET TO A POINT ON THE NORTH LINE OF GEBHARDT ROAD; THENCE NORTH 89°29'27" WEST ALONG SAID NORTH LINE, 1009.85 FEET; THENCE NORTH 00°11'35" EAST, 12.00 FEET; THENCE NORTH 89°29'27" WEST, 104.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,589,536 SQUARE FEET, 59.448 ACRES NET.

PART V. This ordinance shall be in full force and effect from and after its passage and publication.

ADOPTED AND APPROVED ON \_\_\_\_\_ September 21 \_\_\_\_\_, 2010

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Kristine A. Schmidt, City Clerk

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Steven V. Ponto, Mayor